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FOOD, SUPPLIES AND CONSUMER WELFARE DEPARTMENT

NOTIFICATION

The 27th November, 2019

No.18473-FSCW-FE1-MISC-42/2016/FS&CW. In exercise of the powers conferred by the proviso to article 309 of the Constitution of India and in supersession of the Orissa Civil Supplies Service (Recruitment and Conditions of Service) Rules, 2013 and Orders or Instructions, except as respects things done or omitted to be done before such supersession, the Governor of Odisha hereby makes the following rules regulating the method of recruitment and conditions of service of the persons appointed to the Odisha Civil Supplies Service, namely:-

PART-I GENERAL

1. Short title and commencement -- (1) These rules may be called the Odisha Civil Supplies Service (Recruitment and Conditions of Service) Rules, 2019.

(2) They shall come into force on the date of their publication in the *Odisha Gazette*.

2. Definitions-- (1) In these rules, unless the context otherwise requires, -

- (a) "Commission" means the Odisha Public Service Commission;
- (b) "Committee" means the Departmental Promotion Committee constituted under rule 7;
- (c) "Government" means the Government of Odisha;
- (d) Persons with Disabilities+means persons who have been granted with disability certificates by competent authority as per the provisions of the Rights of Persons with Disability Act, 2016 (No. 49 of 2016);
- (e) %Schedule+means schedule appended to these rules.
- (f) "Scheduled Castes and Scheduled Tribes" shall have reference to the Scheduled Castes and Scheduled Tribes specified in the Constitution (Scheduled Caste) Order, 1950 and the Constitution (Scheduled Tribe) Order, 1950, as the case may be, made under Article 341 and 342 of the Constitution of India, respectively;

(g) "Service" means the Odisha Civil Supplies Service; and

(h) "Year" means the Calendar Year.

(2) All other words and expressions used in these rules but not specifically defined shall, unless the context otherwise requires, have the same meaning as respectively assigned to them in the Odisha Service Code.

3. Constitution of Service-- The Service shall consist of such posts as specified in column (2) of the Schedule appended to these rules.

PART II

Method of Recruitment

4. Method of Recruitment-- The method of recruitment to the posts in the service in column 2 of Schedule shall be as specified against each in column (3) thereof.

5. Reservations-- Notwithstanding anything contained in these rules reservation of vacancies or posts, as the case may be, for,--

- (a) Scheduled Castes and Scheduled Tribes shall be made in accordance with the provisions of the Odisha Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules made there under.
- (b) Persons with Disabilities shall be made in accordance with the provisions made under such Act, rules, orders or instructions issued in this behalf by the Government from time to time.

PART III

PROMOTION

6. Eligibility Criteria for Promotion-- The eligibility criteria for Promotion is as specified in column 4 of the Schedule against the respective posts.

7. Constitution of Departmental Promotion Committee-- (1) There shall be a Departmental Promotion Committee consisting of the following members to consider the cases of promotion to the next higher rank in the service; namely:-

- | | |
|--|-------------------|
| (a) Principal Secretary /Commissioner-cum-Secretary to Government, FS & CW Department | õ Chairman |
| (b) Additional Secretary to Government, FS & CW Department | õ Member |
| (c) Director, Consumer Affairs, FS & CW Department | õ Member |
| (d) Deputy / Under Secretary to Govt., FS & CW Department.. | õ Member Convener |

(2) The recommendation of the Committee shall be valid and can be acted upon, notwithstanding, the absence of any one of its members other than the Chairman:

Provided that the member so absenting was duly invited to attend the meeting of the Committee and the majority of members of the Committee attended the meeting.

8. Procedure for Selection by the Committee - (1) The Committee shall meet at least once in a year preferably in the month of January to prepare a list of officers, as are held by them, suitable for promotion to the next higher grade taking into account the existing vacancies and the anticipated vacancies of the year.

(2) The Committee while considering the promotion cases of suitable officers and preparation of the select list shall follow the provisions of, -

- (a) the Odisha Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules made there under, wherever required,
- (b) the Odisha Civil Services (Zone of Consideration for Promotion) Rules, 1988,
- (c) the Odisha Civil Services (Criteria for Promotion) Rules, 1992, and
- (d) the Odisha Civil Services (Criteria for Selection for Appointment including Promotion) Rules, 2003.

9. Consultation with the Commission-- (1) The recommendations of the committee shall be referred to the Commission for concurrence, along with the list of all eligible candidates, including those who have not been recommended, together with the service particulars, if any.

(2) The commission shall consider the list alongwith the service particulars received under sub-rule (1) and shall furnish its recommendations as to the suitability of the candidates to the Government.

10. Select List-- (1) The recommendations of the commission in respect of reference made to it under sub-rule (1) of rule 9 shall after being approved by Government, form the select list.

(2) The lists referred to under sub-rule(1) shall ordinarily be in force for a period of one year from the date of its approval by the Government or until another select list is prepared afresh, whichever is earlier.

(3) Appointment to any post in the service shall be in the order, in which their names appear in the select list.

**PART IV
OTHER CONDITIONS OF SERVICE**

11. Probation and Confirmation-- (1) Every person appointed to any post in the service shall be on probation for a period of one year from the date of joining the post:

Provided that the appointing authority may, if think fit in any case or class of cases, extend the period of probation:

Provided further that such period of probation shall not include-

- (a) extraordinary leave;
- (b) period of unauthorized absence; or
- (c) any other period held to be not being on actual duty.

(2) The appointment of a probationer may, for good and sufficient reasons to be recorded in writing, be reverted to his/ her former post.

(3) A probationer, after completing the period of probation to the satisfaction of Government, shall be eligible for confirmation subject to the availability of substantive vacancy in the service

12. Inter-se-seniority-- The inter-se-seniority of the persons appointed to any post in the service in a particular year shall be in the order in which their names appear in the select list.

13. Other conditions of service-- The conditions of service in regard to matters not covered by these rules shall be the same as are or as may from time to time be prescribed by the State Government.

**PART V
MISCELLANEOUS**

14. Relaxation- When it is considered by the Government that it is necessary or expedient so to do in the public interest, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules in respect of any class or category of the employees in consultation with the Commission.

15. Interpretation- If any question arises relating to the interpretation of any of the provisions of these rules; it shall be referred to Government whose decision thereon shall be final.

SCEDULE
[SEE RULE 3, 4, & 6]

| SL No. | Name of the Post | Method of Recruitment | Eligibility Criteria for Promotion |
|---------------|--|---|---|
| 1 | 2 | 3 | 4 |
| 1 | Additional Director (Food Supplies) | Promotion from Joint Director (Food Supplies) | On the basis of merit & suitability with due regard to seniority. |
| 2 | Joint Director (Food Supplies) | Promotion from Chief Civil Supplies Officer | One year of continuous service as Chief Civil Supplies Officer as on the 1st day of January of the year in which the Committee meets. |
| 3 | Chief Civil Supplies Officer | Promotion from Civil Supplies Officer / Deputy Director (Food Supplies) | Three years of continuous service as Civil Supplies Officer/ Deputy Director (Food Supplies) as on the 1st day of January of the year in which the Committee meets. |
| 4 | Civil Supplies Officer / Deputy Director (Food Supplies) | Promotion from Additional Civil Supplies Officer | Seven years of continuous service in the post of Assistant Civil Supplies Officer and Additional Civil Supplies Officer taken together as on the 1st day of January of the year in which the Committee meets. |
| 5 | Additional Civil Supplies Officer | Promotion from Assistant Civil Supplies Officer | Four years of continuous service as Assistant Civil Supplies Officer as on the 1st day of January of the year in which the Committee meets & must have passed Departmental Examination Conducted by the Board of Revenue, Odisha. |
| 6 | Assistant Civil Supplies Officer | Promotion from Inspector of supplies | Five years of continuous regular service as Inspector of supplies as on the 1st day of January of the year in which the Committee meets & must have passed Departmental Examination Conducted by the Board of Revenue, Odisha. |

By Order of the Governor

V.V. YADAV

Commissioner-cum-Secretary to Government